

On June 27, 1927, Pike's Creamery, Bozeman, Mont., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$225, conditioned in part that it be reconditioned under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

15242. Adulteration of canned cherries. U. S. v. 129 Cases, et al., of Gervas Brand Cherries. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. Nos. 21669, 21670, 21671, 21672. I. S. Nos. 13893-x, 13894-x, 13895-x, 13896-x. S. No. C-5111.)

On or about March 1, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 423 cases of canned cherries, at Cincinnati, Ohio, consigned by the Gervas Canning Co., Fredonia, N. Y., about August 16, 1926, alleging that the article had been shipped in interstate commerce from Fredonia, N. Y., into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gervas Brand * * * Pitted Red Sour Cherries. Packed By Gervas Canning Co., Fredonia, N. Y."

It was alleged in the libels that the article was adulterated, in that it contained worms and decayed cherries, and consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On March 21, 1927, the Gervas Canning Co., Fredonia, N. Y., having appeared as claimant for the property and having admitted the allegations of the libels, and the cases having been consolidated into one cause of action, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it be salvaged under the supervision of this department, by removing all decomposed or worm-infested fruit for destruction.

W. M. JARDINE, *Secretary of Agriculture.*

15243. Adulteration of grapefruit. U. S. v. 169 Boxes of Grapefruit. Decree of condemnation, forfeiture, and destruction entered. (F. & D. No. 21870. I. S. No. 14567-x. S. No. E-6077.)

On April 12, 1927, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 169 boxes of grapefruit, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Clearwater Citrus Co., Clearwater, Fla., on or about January 22, 1927, and transported from the State of Florida into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part "Oranges and Grapefruit, Jucifruit Brand Packed by Clearwater Citrus Co., Clearwater, Fla."

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On May 26, 1927, the claimant for the property having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15244. Adulteration of oranges. U. S. v. 300 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21908. I. S. No. 7513-x. S. No. E-6084.)

On or about March 2, 1927, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of oranges, at North Wilkesboro, N. C., alleging that the article had been shipped by J. W. Rowell, from Orlando, Fla., to Winston-Salem, N. C., on or about February 21, 1927, and had been transported from the State of Florida into the State of North Carolina, and charging adulteration in violation of the food and drugs act.